

MONTCALM AREA INTERMEDIATE SCHOOL DISTRICT

621 NEW ST. + P.O. BOX 367 + STANTON, MICHIGAN 48888-0367

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October 28, 2019

To: Federal Communications Commission

445 12th Street SW Washington, DC 20554

From: Montcalm Area Intermediate School District

621 New Street, PO Box 367

Stanton, MI 48888

RE: CC Docket No. 02-6 Applicant Request for Reconsideration

Applicant Information:

Montcalm Area Intermediate School District, 621 New Street, PO Box 367, Stanton, MI 48888

Contact: Thomas M Staten Phone: 616-225-6128

E-mail: tstaten@maisd.com
Billed Entity Number: 131263

SPIN 143028413 Clear Rate Communications, Inc.

2017 FRN: 1799109738 Amount: \$2.185.30

USAC Decision: Denied, filed after invoice deadline

SPIN 143004346 Crystal Automation Systems, Inc.

2017 FRN: 1799108965 Amount: \$45,452.74

USAC Decision: Denied, filed after invoice deadline

Reconsideration Request:

Montcalm Area Intermediate School District, the district, is requesting reconsideration of the Commission's decision to deny the district's invoice deadline extension requests for application numbers 171047522 and 171048097 as part of DA 18-1270 released December 28, 2018. In the previous request, the district was requesting a waiver of FCC rules regarding the 120 day invoice deadline under CC Docket No. 02-6 to allow late invoices be reviewed and considered for funding.

Reference: The Commission's rules may be waived if good cause is shown. 47 CFR § 1.3. The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with



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the public interest. Northeast Cellular Telephone Co. v. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (Northeast Cellular). Waiver of the Commission's rules is appropriate only if both (i) special circumstances warrant a deviation from the general rule, and (ii) such deviation will serve the public interest. Northeast Cellular, 897 F.2d at 1166.

After submitting the 472 Bear invoice applications on 10/30/18 the district received notice the applications were rejected due to the deadline date of 10/29/19. Applications were submitted and accepted but due to administrative and or clerical errors, calculating the number of days incorrectly and expecting the due date to be the end of the month, district filing missed the deadline by less than 24 hours.

The district would like to respectfully request reconsideration of denial of waiver of invoice extensions so that district invoices submitted to USAC after the 120 day deadline will be accepted for payment. The rationale for the request to deviate from general rules is due to special circumstances including administrative clerical errors, missing the deadline by less than 24 hours due to a calendar miscalculation, the fact that loss of these funds would cause a significant financial burden on the school district, and the loss of these funds impacts the district's ability to serve the public interest, namely educational services provided to seven local school districts and its approximately 13,000 students. Also, please note the district had one other application filed at the same time under the same time constraints which was approved by USAC through the EPC system while two others were denied leading to inconsistent information.

Thomas M Staten Technology Director

Thomas M. States